

MYSTINC.001CP1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Erik J. van der Burg et al.)
Appl. No. : 09/435,562)
Filed : November 8, 1999)
For : METHOD AND DEVICE FOR)
LEFT ATRIAL APPENDAGE)
OCCLUSION)
Examiner : Glenn K. Dawson)

Group Art Unit: 3761

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on

January 10, 2002
(Date)
Gerard von Hoffmann
Gerard von Hoffmann, Reg. No. 33,043

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This communication is in response to the Office Action mailed December 11, 2001. The Examiner has required restriction to one of four inventions:

Group I (Claims 1-18, 38-46 and 51-60), drawn to an occlusion device, classified in Class 606, subclass 213;

Group II (Claims 19-24), drawn to a method of making an occlusion device, classified in Class 76, subclass 101.1;

Group III (Claims 25-35 and 47-50), drawn to a method of occluding, classified in Class 128, subclasses 898; and

Group IV (Claims 36-37), drawn to a method of facilitating cell growth, classified in Class 128, subclass 898.

The Examiner has also required election of one of the following species:

- I. Fig. 1-3;
- II. Fig. 3A, 3B;

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- III. Fig. 6-8;
- IV. Fig 15;
- V. Fig. 16;
- VI. Fig. 17;
- VII. Fig. 19;
- VIII. Fig. 20-22;
- IX. Fig. 24, 25;
- X. Fig. 26, 27;
- XI. Fig. 28, 29;
- XII. Fig. 30, 31;
- XIII. Fig. 32;
- XIV. Fig. 33;
- XV. Fig. 34B; and
- XVI. Fig. 35.

Applicants hereby elect, without traverse, to prosecute the claims directed to Invention I, (Claims 1-18, 38-46 and 51-60) classified in Class 606, subclass 213. Claim 1-17 read on at least Species IX. Claim 18 reads on at least Species X. Claims 38-46 read on at least Species XII. Claims 51-60 read on at least Species XII. Applicants elect Species XII, upon which Claims 38-46 and 51-60 are readable. Please cancel Claims 1-37 and 47-50, without prejudice. Applicants reserve the right to pursue the nonelected claims in one or more continuing applications. Accordingly, prompt examination on the merits of Claims 38-46 and 51-60 is respectfully requested.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 1/10/02

By: Gerard von Hoffmann

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